

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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CEMENT MASONS UNION	:	
LOCAL NO. 592, et al.,	:	CIVIL ACTION
Plaintiffs,		
v.	:	No. 13-3002
MICHAEL LUKIS,	:	
Defendant.		

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**O R D E R**

**AND NOW**, this 7th day of January, 2014, upon consideration of Defendant's "Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6), or in the Alternative, Motion for Summary Judgment Pursuant to Rule 56" (Doc. 4), and Plaintiffs' Response in Opposition (Doc. 5), it is hereby **ORDERED** that said Motion is **DENIED**.

BY THE COURT:

/s/ Robert F. Kelly  
ROBERT F. KELLY  
SENIOR JUDGE